

1-1-2007

# Maine Fire Marshal News, January 2007

Maine Office of State Fire Marshal

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## Recommended Citation

Maine Office of State Fire Marshal, "Maine Fire Marshal News, January 2007" (2007). *Fire Marshal Documents*. Paper 34.  
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# Maine Fire Marshal News

Maine State Fire Marshal's Office • Fire Research  
Maine Department of Public Safety  
Mainefiremarshal.com

January 2007

Winter 2007 Vol. 1, Issue No.4

## WELCOME!

Welcome again to another edition of the Maine Fire Marshal News and Happy New Year. We hope to present four newsletters in the coming year and hope that you will contribute as well. As the Fire Marshal's Office begins to move toward assessing Maine's fire burden and associated costs, it is critical that we hear from you on all issues related to fire in Maine.

## A MESSAGE FROM THE FIRE MARSHAL

I'd like to wish all of you a happy new year. This year marks our third year at the new facility in Augusta and the second year in which we'll be sending out this newsletter. The response to the newsletter last year was great and has opened up new lines of communication with people and organizations this office never knew were interested.

### *In this issue...*

<i>A Message from the Fire Marshal.....</i>	<i>1-2</i>
<i>2006 Fire Fatality Count Reflects Positive Trend.....</i>	<i>2-3</i>
<i>The Changing Fueling Environment .....</i>	<i>3</i>
<i>"Children Are No Match for Fire" Maine Schools. ....</i>	<i>4</i>
<i>State Fire Marshal's Legislative Agenda: 2007.....</i>	<i>4-5</i>
<i>Maine's Effort to Promote Fire Safe Cigarettes.....</i>	<i>5</i>
<i>Federal Fire Sprinkler Incentives Act: 110<sup>th</sup> Congress..</i>	<i>6</i>
<i>NAFSM's Renewed Call for Fire Safe Furniture.....</i>	<i>7</i>
<i>Upcoming Events.....</i>	<i>7-8</i>

This office is in continuous change. This coming year we will be planning a reorganization of the office. This plan will include a new approach to understanding the many costs of fire in Maine and the benefits of particular fire suppression, mitigation, law enforcement, and regulatory practices employed by Maine's fire service. Based upon nationally recognized methods of fire research and data analysis, the Fire Marshal's Office will now begin the process of assessing Maine's fire burden on an annual basis. The data from that assessment provides the basis from which the Fire Marshal's Office will direct all legislative, rule making, public education/awareness, and policy initiatives.

One significant development that will help us put together a model to assess the fire burden is the continued growth in the number of Maine Fire Departments participating in the Maine Fire Incident Reporting System. In 2005, 195 departments reported. Those departments combined served approximately 80% of Maine's total population. This means the numbers we have on fire incident by type, area of origin, cause, and other variables are becoming more representative of what is happening around the State. This also means that there is now more data for departments around the State to use for their own planning purposes.

We will also resume our examination

of fire fatality picking up where we left off last year by reviewing fire fatality files from 1993 though to the present. The plan also includes adding a Fire Prevention and Safety Coordinator to help fully develop education and outreach efforts throughout Maine. This position will help us fulfill our statutorily assigned role of providing fire prevention and safety education. These activities are among many underway and are in addition to our usual rulemaking, legislative, conference/training, and traditional role in fire investigations and prevention.

Until next issue, thank you all very much and have a great new year.

Sincerely,  
John C. Dean  
Fire Marshal

## **2006 FIRE FATALITY COUNT REFLECTS POSITIVE LONG TERM TREND**

By Richard E. Taylor, Sr. Research and Planning Analyst

The 2006 fire fatality count in Maine represents the second lowest count in the last ten years. In 1995 Maine experienced a very low count of twelve fatalities. Before discussing 2006 let's look at fire fatality counts in Maine over the past twenty-six years.

Since 1983 Maine has experienced on average twenty-three fire fatalities per year with a median count of twenty-one indicating skewing toward those years in which the count was higher than the mean. However, since 1997 the average has dropped to eighteen fatalities per year with a median of seventeen. Why the drop? The hypotheses range from global warming, more operating fire alarms, public awareness/education programs, flattened population growth, to codes. In 2007 the SFMO will examine fire fatalities from 1992

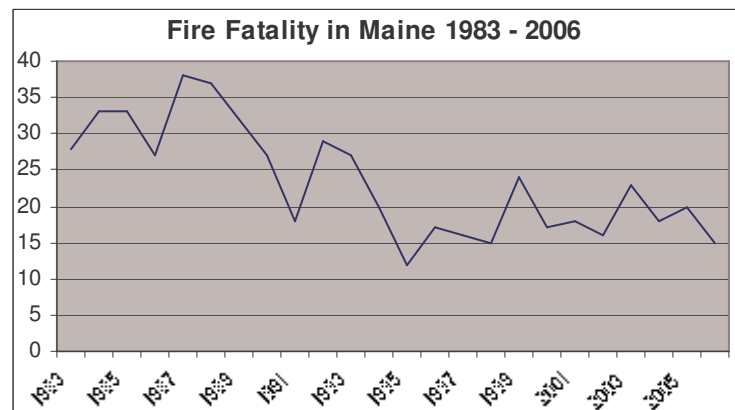
to present and perhaps be able to answer some of these and other questions. Lets look at 2006 now.

According to data from the National Oceanic & Atmospheric Administration's National Climate Data Center, Maine experienced warmer than average temperatures throughout the year with the one exception being October. In addition, 2006 was a very wet year with the one exception being March. Perhaps this explains why we only experienced one wood stove related incident.

Though Maine's fire fatality rate for 2006 was a low 1.3 (p/100,000), down from the 1.5 and 1.8 rates of the two preceding years, the year was unusual in the following ways. For the first time in many years we lost two children in fires that resulted from children playing with matches. Four individuals died in fires outside of a structure including two vehicle fires. The number of Maine seniors who were killed in a fire was still too high but below the ten-year mean of thirty-four percent. Finally, Maine experienced a three person fatal and that is unusual.

Smoking, the leading cause of fires leading to a fatality, took three lives. An event that is too predictable. Maine began 2006 with a cigarette related fire fatality and ended it the same way. Figure 1 below gives you a historical perspective on the toll of fire fatality in Maine since 1983.

Figure 1



As you can see from Figure 1 on page 2, fire fatality in Maine is still declining as it is nationally. However, the rate of decline appears to have flattened out since the 1990's.

## **THE CHANGING FUELING ENVIRONMENT AT MAINE GAS STATIONS AND AROUND THE NATION**

By Nelson Collins, Fire Prevention Officer

Do you remember when you pulled up to a gas station with Dad and a man came out from the garage to pump gas for you? When he finished filling the car up he would take money from Dad and return to work on a car in the garage. Today's fueling environment has changed.

Gas stations today, like many other service-oriented businesses have refocused their efforts to meet a changing consumption economy that values convenience above all. In fact, it is hard to call them gas stations in the historical sense. Today they are more than likely a convenience store that provides, among many products, gas. So what does this have to do with fire safety?

Perhaps the most critical change has come in who's pumping the gas. Today it is the motorist or a passenger and in some instances a young person. Who's watching is another concern. Though a station attendant is supposed to be watching we know that is not always the case. More often than not convenience store workers are involved in a number of activities ranging from cashier, short order cook, to house cleaning.

In addition to these changes the convenience store itself provides a commercial structure that adds more people to the fueling area or environment.

These additional people combined with more people at more pumps with little or no fueling oversight add up to increased risk. It is fair to wonder why there have not been more tragic accidents at these stores.

One reason is that many of our newer stores come with high tech fire suppression systems designed essentially to address emergencies that result from human error. Human errors include overfilling to the point of spilling or the classic drive away with the hose still in the car. Today gasoline dispensing systems have breakaway lines that automatically prevent a spill in the event you drive off with the hose still in the car.

In the event of a fire due to someone smoking or improperly filling a gas can that ignites due to static electricity, a suppression system swamps all the pumps to prevent the fire from spreading. There are also signs providing all kinds of warnings to self-servers about a number of things "not to do." The question for us is do all stations in Maine have the appropriate mitigation and suppression systems that are available in place?

According to the 2002 Economic Census, there are 893 gas stations in Maine and 671 of them are also convenience stores. The Maine Oil Dealers Association estimates there are 1,300 convenience stores dispensing fuel. The Fire Marshal's Office surveyed 100 stations in Maine last year and found most of them were not in compliance with NFPA codes addressing fire safety at fuel dispensing facilities. The degree of non-compliance varies but the concern is there. So what should be done?

The Fire Marshal's Office needs to collaborate with local code enforcement officers, fire departments, gas station owners, MODA, DEP and others to make safety a value added feature at these facilities to make compliance less burdensome. We welcome your thoughts.

## **THE BOOK “CHILDREN ARE NO MATCH FOR FIRE” IS BEING RECEIVED WELL BY LOCAL SCHOOLS**

By Richard E. Taylor, Sr. Research and Planning Analyst

I don't have a precise count as to how many books the Fire Marshal's Office has distributed to Maine's public schools but the response has been positive. Since beginning our distribution of Carol Dean's book "Children are No Match For Fire" several school librarians have written us thank you notes.

The distribution is wide, ranging from Aroostook to York County but the sentiments expressed are similar. School librarians express their appreciation stating the book is "a useful addition" and that students will benefit from the book for "years to come." Other notes reference the book being read to classes by teachers (which is precisely what we hoped would happen).

We hope the book will eventually reach all schools offering pre-school programs and kindergarten.

**COALITION  
for FIRE-SAFE  
CIGARETTES**

.....  
**The time is now.**

<http://www.firesafecigarettes.org/>

## **STATE FIRE MARSHAL'S LEGISLATIVE AGENDA FOR 2007**

By Richard E. Taylor, Sr. Research and Planning Analyst

The Fire Marshal's Office is proposing legislation for the first session of Maine's 123<sup>rd</sup> legislature to:

- Grow the number of MEFIRS participating Fire Departments;
- Put violation language in statutes addressing fire escape installment and maintenance in specified structures;
- Require plans review of gas stations for fire safety mitigation and suppression systems compliance;
- Bring language regarding vehicle racing up-to-date; and
- Align our amusement park ride laws with the coming ASTM rules.

In 2005 195 Maine Fire Departments Reported to the Maine Fire Incident Reporting System (MEFIRS). Combined, these departments serve approximately 80% of Maine's population. Though MEFIRS alone will not provide the entire picture of Maine's fire burden, it provides considerable information on overall incidents and data that departments can use in conducting comparative analysis for operations, budget preparation and in developing risk assessments for grants.

As hard as it is to believe, at present there is no violation language in the law requiring certain structures, including apartments, to install and maintain fire escapes (25 MRSA § 2453). The proposed language, albeit weak in this writer's view, is a start however.

As many of you are aware the Fire Marshal's Office also makes rules regulating amusement rides and protection



to people attending motor vehicle racing events. The proposed amusement ride legislation incorporates terms that we will be seeing with the introduction of the ASTM Standards being incorporated into rule later this year. As for motor vehicle racing, the proposed language merely broadens the scope of protection to include those attending newly emerging racing events such as mud runs/pulls, ice racing, and other events that are becoming popular.

We will also seek to provide the SFMO with statutory authority to require the plans review and inspection of gas stations to ensure they provide protection to consumers modern technology has made available in the form of mitigation and suppression systems. (see "The Changing Fueling Environment at Maine Gas Stations and Around the Nation" on p. 3 above)

For more information on these legislative proposals and others of interest to the fire service go to the following url: <http://janus.state.me.us/legis/> For additional information on related legislative issues go to the Maine Fire Chiefs Association web at <http://www.mainechief.com/legislative.shtml>

Finally we encourage all Maine Fire Department personnel and other interests to support this legislation and call with any questions you may have.

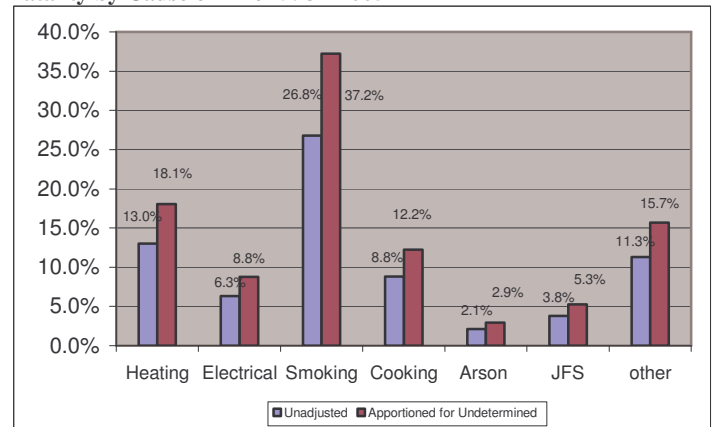
## **MAINE'S EFFORT TO PROMOTE FIRE SAFE CIGARETTES**

By Richard E. Taylor, Sr. Research and Planning Analyst

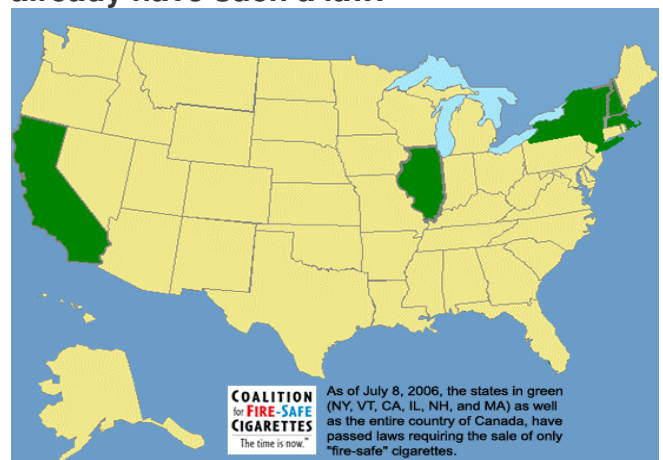
**LD 70, *An Act to Require Cigarettes Sold In Maine To Be Fire-Safe***, has been introduced by Representative Peter Rines of Wiscasset. The bill will require that, beginning January 1, 2008, all cigarettes sold in

Maine must meet the standards of fire-safe cigarettes as established by the State Fire Marshal's Office in order to be sold in Maine. The standards the Fire Marshal adopts must ensure that lit cigarettes stop burning within a specified time period if not smoked or meet performance standards limiting the risk the cigarette has of igniting upholstered furniture. Given the statistics on smoking related fatalities in Maine this is good news. As the graph below indicates, smoking is the culprit in more fire deaths in Maine than any other identified cause. This is also the case for the nation as well.

Fatality by Cause of Fire 1993 - 2005



Maine will join NY, New Hampshire, Vermont, Canada, California, New Jersey, Massachusetts, and Canada. The fact that this legislation has already been passed by all of Maine's neighbors will reduce the cost of making and enforcing such a rule. The map below identifies most of the states that already have such a law.



# **WILL THE 110<sup>TH</sup> CONGRESS PASS FIRE SPRINKLER INCENTIVES LEGISLATION?**

By Richard E. Taylor, Sr. Research and Planning Analyst

As many of you are aware the National Fire Sprinkler Association was able to generate considerable support in the 109<sup>th</sup> Congress for the Fire Sprinkler Incentives Act of 2005. What will happen with this initiative in the 110<sup>th</sup> Congress?

The primary sponsors of the Fire Sprinkler Incentives Act were Senator Santorum (R-PA) and Representative Curt Weldon (R-PA). Both members lost their seats in the 2006 election. The bill they authored would amend the 1986 Internal Revenue Code to accelerate the present depreciation schedule for the retrofit of fire sprinklers to five years at 20% per year. This accelerated schedule, coupled with projected insurance reduction savings, will allow building owners who retrofit their property with fire sprinklers to recover the cost over a much shorter period of time.

It is the opinion of the National Fire Sprinkler Association that there is no reason not to believe the 110<sup>th</sup> Congress would not continue to support the bill. Two co-sponsors Senator Rockefeller and Representative Nancy Pelosi (D-CA and new Speaker of the House) are still present. It is hoped that Senator Rockefeller will be the primary sponsor on the Senate side and a representative on the House Ways and Means Committee, who is close to the new Chair, Charlie Rangel (D-NY), will take the lead on the House side.

The key task for those lobbying for this legislation is to get the depreciation schedule into the tax code. Why?

Presently, fire sprinkler systems are tied to the depreciation schedule of the building in which they're installed. For commercial buildings, the recovery

period is 39 years. For residential buildings, it's 27.5 years. This proposed bill allows a five-year recovery period for sprinkler installations, whether they comply with NFPA 13, Installation of Sprinkler Systems; NFPA 13R, Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height; or NFPA 13D, Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes.

This five-year recovery period would create a powerful incentive for building owners to install fire sprinkler systems, since it would increase their yearly depreciation expense, thereby decreasing their taxable income. The tax incentive is especially helpful for retrofitting existing buildings.

If this tax incentive is put in the code it will contribute considerably to the bill's movement out of committee and before both bodies of Congress for final passage because the bill will essentially become, or at least move in the direction of becoming, revenue neutral.

For more information on this bill or to track it's progress, go to the National Fire Sprinkler web page at <http://www.nfsa.org/>

## **NAFSM'S RENEWED CALL FOR FIRE SAFE HOME FURNITURE**

By Richard E. Taylor, Sr. Research and Planning Analyst

NAFSM President John Dean, Fire Marshal from Maine, has renewed the call for enactment of effective national flammability standards for upholstered furniture. According the Consumer Products Safety Commission, fires originating in upholstered furniture account for 20% of all fire-related deaths each year.

Fire Marshal Dean stated that absent "...national furniture fire safety standards that address both cigarette and open flame

ignitions, these preventable fires will continue to cause horrible deaths and injuries.” The CPSC initiated furniture flammability rulemaking in mid-1994 yet the government is still studying the issue after more than a dozen years, thousands of deaths and injuries, and millions of dollars lost due to upholstered furniture fires.

California is currently the only state in the U.S. with fire safety regulations for upholstered furniture sold for use in the home. Following the adoption of these standards in the 1970s, fatality rates fell by more than 25% in California according to the California Bureau of Home Furnishings. According to Fire Marshal Dean, it is time to take advantage of technological advancements made since the California standards were enacted.

Imagine if as a nation we were to see continued legislation requiring fire safe cigarettes combined with new incentives to use sprinkler systems in residential occupancies that have upholstered furniture manufactured to be flame proof? The combustible load that accelerates the spread of so many home fires would be diminished as well as the ignition factors. The added suppression capacity would work to confine fires to a limited area. The ramifications of these three policy streams being realized could have a considerable impact on the nations fire burden.

## UPCOMING EVENTS

The Fire Marshal’s Office has begun to plan an NFPA training, or two, to take place this spring/summer. More information on which codes will be covered and the dates will be coming. You can check for updates at [www.maine-fire-marshal.com](http://www.maine-fire-marshal.com)



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The *Maine Fire Marshal News* is an electronic publication of the Maine State Fire Marshal’s Office.

Editors: Richard E. Taylor & Lori Gunn

To submit articles for publication contact the Fire Marshal’s Office at (207) 626-3870 and ask to speak with the editors. You may also e-mail an article or comment to [Richard.e.taylor@maine.gov](mailto:Richard.e.taylor@maine.gov)

All articles are subject to an editorial staff review prior to inclusion. For a copy of submission requirements contact the editorial staff.

Maine Fire Marshal  
Department of Public Safety  
52 State House Station  
Augusta, Maine 04333  
[www.maine-fire-marshal.com](http://www.maine-fire-marshal.com)

Phone:  
207-626-3870

E-Mail:  
[Richard.e.taylor@maine.gov](mailto:Richard.e.taylor@maine.gov)